

REMARKS/ARGUMENTS

In response to the above-referenced Office Action, Applicant respectfully requests the Examiner to consider for patentability all the remaining claims in light of the amendments that have been made to Claims 1, 2, 3, 5, 6, 7, 9, and 10. New Claims 12-20 are added to the Application and Applicants submit that these new claims are fully supported by the specification.

I. In The Claims

The Rejections Under 35 USC § 103

Claims 1-2 and 7-8: In the present Office Action, claims 1-2 and 7-8 were rejected under 35 U.S.C. 103(a) as being anticipated by Thomas et al. (U.S. Patent 6,141,393), in view of Brunner et al. (U.S. Patent 6,567,462). The rejection is respectfully traversed.

Applicants respectfully submit that a smart antenna combined with interference cancellation that is used for baseband process of amended Claim 1, further having the aspect of detecting de-spread results which are useful symbolic level signals from said sampled-data output signals by beam forming every multipath within a searching window length based upon said estimated user channels is not taught, suggested or made obvious by the combination of Thomas in view of Brunner.

Just as is recited in the original description, “[i]t is essential to the invention that beam forming of every multipath within a searching window length is done for every channel, and useful signals are selected and accumulated so as to utilize the advantages of space diversity and time diversity. In this way even under conditions of severe multipath interference and white noise interference, better results can be achieved.” [Paragraph 28.] - such effects are achieved according to the claimed invention. Applicants submit that the above two recited references do not disclose and teach the foregoing features and, as such, amended Claim 1 is not obvious to those skilled in the art.

Claims 3-6 and 9-11: The Office Action provides that Claims 3-6 and 9-11 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claims and any intervening claims. As indicated

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above, Applicants have amended Claim 1 to require beam forming every multipath within a searching window length based upon said estimated user channels and, as such, it is submitted that Claim 1 is now in a form for allowance over the obviousness rejection of Thomas in view of Brunner. Therefore, because a dependent claim also includes each limitation of its base claim, it is submitted that Claims 3-6, and 9-11 are also in a form for allowance.

New Claims 12-20: Applicants respectfully request to add new Claims 12-16 to the Application. Applicants submit that these new claims are fully supported by original Claims 2, 3, 5, 7, 9, 10, respectively. Applicants also respectfully request to add new Claims 17-20 to the Application. These claims are directed toward a baseband processor and are supported by recitation of the original specification, including paragraphs [0034], [0035], [0036], [0043], [0046], and [0049] of the patent application publication document. Applicants also respectfully submit that the above two recited references (Thomas and Brunner) do not disclose or teach a baseband processor as claimed in newly added Claims 17-20.

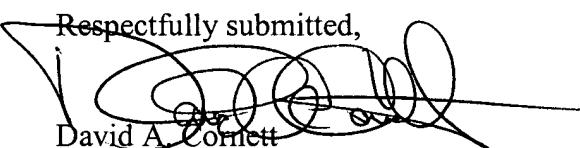
Conclusion

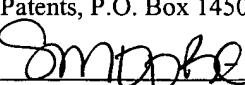
Applicants respectfully submits that amended Claim 1 is not taught or suggested nor is it made obvious by Thomas in view of Brunner, and Claim 1 is now in a form for allowance. As such, Applicants also respectfully submits that the dependent claims of Claim 1 (Claims 2-16) are also allowable. Applicants have added new independent Claim 17 its independent Claims (18-20), that are directed toward a baseband processor. Applicants submit that these claims are fully supported by the specification and not made obvious by Thomas in view of Brunner and, as such, are allowable.

Applicants have made corrective amendments to the specification and to FIG. 2, as shown and described herein. Applicants submit that these changes have not changes the scope of the invention, nor have they added new matter to the application. Applicants respectfully request the Examiner to accept these changes.

Applicant respectfully requests the Examiner to contact the Applicant's attorney at (404) 881-7846 if there are any further questions or comments in regard to this application.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,

David A. Cornett
Registration No. 48,417

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| Customer No. 00826 ALSTON & BIRD LLP Bank of America Plaza 101 South Tryon Street, Suite 4000 Charlotte, NC 28280-4000 Tel Atlanta Office (404) 881-7000 Fax Atlanta Office (404) 881-7777 | "Express Mail" mailing label number EV EV 700808560 US US Date of Deposit November 14, 2005 I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450  Shana Moore |
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Amendments to the Drawings:

Attached to this paper, please find a replacement sheet FIG. 2. Applicants submit that based on the recitation of the original specification, and in particular paragraphs 0050, 0051, 0052, and 0054 (where said paragraph numbers are based on the publication text of this claimed invention), the Applicants respectfully request to amend FIG. 2 as shown in red. Applicants submit that this amendment does not add new matter to the application and does not exceed the original disclosed scope.